United Nations A/C.4/69/SR.2

General Assembly
Sixty-ninth session

Official Records

Distr.: General
22 October 2014

Original: English

Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 2nd meeting
Held at Headquarters, New York, on Tuesday, 7 October 2014, at 3 p.m.

Chair: Mr. Bhattarai ..... (Nepal)

Contents

Agenda item 55: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations*

Agenda item 56: Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories*

Agenda item 57: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations*

Agenda item 58: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories*

Agenda item 59: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*)*

Requests for hearings

* Items which the Committee has decided to consider together.

This record is subject to correction.

Corrections should be sent as soon as possible, under the signature of a member of the delegation concerned, to the Chief of the Documents Control Unit (srcorrections@un.org), and incorporated in a copy of the record.

Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

14-62184 (E)

Please recycle

The meeting was called to order at 3.05 p.m.

Agenda item 55: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (A/69/23 (chaps. VII and XIII) and A/69/69)

Agenda item 56: Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories (A/69/23 (chaps. V and XIII))

Agenda item 57: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (A/69/23 (chaps. VI and XIII) and A/69/66)

Agenda item 58: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (A/69/67)

Agenda item 59: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples *(Territories not covered under other agenda items)* (A/69/23 (chap. VIII), A/69/344, A/69/23 (chaps. IX and XIII), A/69/23 (chaps. X and XIII), A/69/23 (chaps. XI and XIII) and A/69/189)

1. **The Chair** said that decolonization had been one of the defining issues of the latter part of the twentieth century and the early part of the twenty-first century. It was due particularly to the efforts of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples that the majority of the world's population was no longer under colonial rule. Since Efforts must continue in a spirit of cooperation among all parties involved to complete the decolonization process of the 17 remaining Non-Self-Governing Territories.

2. **Mr. Ahmad** (Syrian Arab Republic), speaking on behalf of the Rapporteur of the Special Committee on decolonization, introducing the report of the Special Committee contained in document A/69/23, said that during its substantive session in June 2014, the Special Committee had considered all items on its agenda in the context of the Third International Decade for the Eradication of Colonialism, and had strengthened its pivotal role in advancing the decolonization agenda and monitoring the situation concerning the Non-Self-Governing Territories. It had also undertaken a visiting mission in 2014, its first since 2006, to New Caledonia. The mission report, contained in document A/AC.109/2014/20/Rev.1, set out conclusions and recommendations on how to move the decolonization process forward in that Territory. The 2014 Pacific Regional Seminar had assessed the situation in a number of Territories and discussed matters related to decolonization.

3. In 2013, the General Assembly had entrusted the Special Committee, by consensus, with the question of the self-determination of French Polynesia. Under resolution 67/265, it had affirmed the inalienable right of the people of French Polynesia to self-determination, recognized that French Polynesia remained a Non-Self-Governing Territory within the meaning of the Charter and declared that an obligation existed under Article 73 e of the Charter on the part of the Government of France, as the administering Power, to transmit information on French Polynesia Such information, although not transmitted for the Secretariat's 2014 working paper on French Polynesia, would constitute valuable information for the 2015 working paper.

4. Pursuant to paragraph 5 of General Assembly resolution 68/93, the Secretary-General had compiled a report, in cooperation with the relevant specialized agencies of the United Nations, entitled "The environmental, ecological, health and other impacts of the 30-year period of nuclear testing in French Polynesia", which was contained in document A/69/189. Accordingly, resolution V (A/69/23, Chapter XIII) on the question of French Polynesia needed to be updated. The seventh operative paragraph would be replaced with the following text:

> "Takes note of the report of the Secretary-General on 'The environmental, ecological, health and other impacts of the 30-year period of nuclear testing in French Polynesia', prepared pursuant to paragraph 5 of General Assembly resolution 68/93."

5. **Mr. Lasso Mendoza** (Ecuador), Chair of the Special Committee on decolonization, said that in February 2014, the Bureau of the Special Committee had been strengthened by the election of a third Vice-Chair. In November 2013, the Special Committee's Bureau had held a meeting with the Secretary-General, to reaffirm his support for its activities. Subsequently, in resolution A/AC.109/2014/L.9, the Special

Committee had requested the Secretary-General to meet informally at least once a year with the Chair and Bureau of the Committee in order to explore innovative ways of using his good offices to help to advance the decolonization agenda on a case-by-case basis. Informal consultations had also been established between the Bureau and the administering Powers, the Non-Self-Governing Territories and relevant States.

6. In March 2014, a visiting mission to New Caledonia had taken place, with the cooperation of the Government of France. The mission report emphasized the extremely fragile situation in New Caledonia and the importance of a constructive dialogue among all actors to find common ground, preserve peace and promote a common destiny. It also stressed the importance for all concerned of guaranteeing the full implementation of the Nouméa Accord by urgently undertaking genuine efforts to address current shortcomings in its implementation, particularly concerning the restricted electorate provisions. The mission recommended that the Special Committee should continue to closely monitor the situation and advise the General Assembly as appropriate.

7. Other key events in 2014 had included the Pacific Regional Seminar held in Fiji in May, the meeting of the Committee of Signatories to the Nouméa Accord in October, the general elections held in Montserrat on 11 September and the decision of 31 July to accept Tokelau as an associate member of the Pacific Islands Forum. Given the importance of regional organizations and agreements in helping Non-Self-Governing Territories to tackle various challenges, in particular climate change, it was significant that the British Virgin Islands, New Caledonia and Tokelau had addressed the Third International Conference on Small Island Developing States. The Special Committee reaffirmed its willingness to participate in constructive dialogue with all stakeholders, especially administering Powers, with a view to eradicating colonialism.

8. **Mr. Dehghani** (Islamic Republic of Iran), speaking on behalf of the Movement of Non-Aligned Countries, said that the Movement reaffirmed its full support for the exercise of the legitimate right to self-determination of peoples under colonization and alien domination. The existence of colonialism in any form, including economic exploitation, contradicted both the Declaration on decolonization and the Universal Declaration of Human Rights. The Movement called on the United Nations to fulfil its responsibilities and expedite the process of decolonization with a view to the complete eradication of colonialism, in accordance with the Declaration, the relevant General Assembly resolutions and the provisions of the United Nations Charter. It stressed, once again, the importance of the recommendations contained in the Final Document of the Sixteenth Summit Conference of Heads of State or Government of Non-Aligned Countries, held in August 2012, and the Final Document of the Seventeenth Ministerial Conference of the Non-Aligned Movement, held in May 2014.

9. The Movement of Non-Aligned Countries urged the Administering Powers to offer their full support and cooperation to the Special Committee, which should find new ways of enhancing efficiency in order to improve its interaction with administering Powers and ensure the active participation of the peoples of the Non-Self-Governing Territories in determining their own futures. The Movement remained committed to playing its part to ensure tangible achievements towards the goal of eradicating colonialism during the Third International Decade for the Eradication of Colonialism. It urged all administering Powers to pay full compensation for the economic, social and cultural consequences and human and material losses resulting from colonial rule or occupation.

10. The United Nations must ensure that economic and other activities of administering Powers did not affect the interests of the peoples of the Non-Self-Governing Territories, but rather promoted development and the exercise of the right to self-determination. The cultural heritage and identity of colonial peoples was a part of the universal heritage of humanity, and in that regard the Movement urged Member States to fully implement the decisions and resolutions of United Nations Educational, Scientific and Cultural Organization pertaining to the return of cultural properties.

11. The Movement of Non-Aligned Countries reiterated its position on the question of Puerto Rico, set forth in the Final Documents of the sixteenth Summit Conference and of the seventeenth Ministerial Conference, in which the Movement reaffirmed the right of the people of Puerto Rico to self-determination and independence.

12. The Movement continued to support the inalienable right of the Palestinian people to self-determination and the establishment of an independent

and viable State of Palestine on the basis of the relevant international resolutions, with East Jerusalem as its capital.

13. **Mr. Mendoza-García** (Costa Rica), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), stressed the importance of ensuring that all people exercised their inalienable right to self-determination. In the context of the Third International Decade for the Eradication of Colonialism, it called on the administering Powers to fulfil their commitments to the Non-Self-Governing Territories, taking into account the specific situation in each case, to cooperate fully with the Special Committee, and to regularly communicate accurate information on each of the Territories under their administration. At the CELAC Summit held in January 2014, the Heads of State and Government had reiterated their commitment to continue working, in the framework of international law, particularly General Assembly resolution 1514 (XV), to make the region of Latin America and the Caribbean an area free of colonialism and colonies.

14. CELAC supported the work of the Department of Public Information and the United Nations information centres and urged them to redouble their efforts to promote the goals of the Declaration on decolonization and the Plan of Action for the Eradication of Colonialism. It appreciated the maintenance of the six official languages of the decolonization website, with its updated content and attractive design.

15. CELAC reiterated its strong support for the legitimate rights of Argentina in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The Heads of State and Government, in the Special Communiqué on the Malvinas Islands issued during the 2014 Summit, had stressed their abiding interest in the resumption of negotiations between the Governments of Argentina and the United Kingdom, in order to find a peaceful and definitive solution to the dispute, in accordance with the relevant resolutions of the United Nations and of the Organization of American States (OAS); recalled the importance of the parties refraining from taking decisions that would imply introducing unilateral modifications in the situation, pursuant to General Assembly resolution 31/49, and underscored the constructive attitude and willingness of the Argentine Government to reach a solution to the situation. They had called on the Secretary-General to renew his efforts to fulfil the mission of good offices entrusted to him by the General Assembly with a view to the resumption of negotiations between the two parties and to report on the progress made in that regard.

16. Over the previous 15 years, the Special Committee's resolutions on the question of Puerto Rico had reaffirmed the inalienable right of the Puerto Rican people to self-determination and independence. The Latin American and Caribbean character of Puerto Rico had been highlighted by the Heads of State and Government of CELAC at the 2014 Summit.

17. With regard to the small island Territories of the Caribbean and the Pacific, CELAC considered that measures should continue to be taken to facilitate the sustained and balanced growth of their fragile economies, and that those Territories should be allowed to exercise their right to self-determination. When the will of the majority of the indigenous population was unequivocal, the administering Powers should not thwart that will, directly or indirectly. CELAC therefore remained concerned by the situation in the Turks and Caicos Islands and emphasized the need to ensure truly inclusive, democratic and representative governance in that Territory; the people of the Turks and Caicos Islands must be permitted to participate meaningfully in determining their own future. Special attention should be paid to the acceleration of the loss of territory by small islands, due to rising sea levels resulting from climate change, hurricanes, volcanic eruptions and other natural disasters.

18. CELAC endorsed all resolutions adopted by the General Assembly and the Security Council regarding Western Sahara, including General Assembly resolution 68/91, and reiterated its strong support for the efforts of the Secretary-General and his Personal Envoy to reach a just, lasting and mutually acceptable political solution leading to the self-determination of the people of Western Sahara, in accordance with the principles and purposes of the Charter and the Declaration on decolonization CELAC trusted that efforts to promote more intense and substantive negotiations between the parties would continue, under the auspices of the Secretary-General and his Personal Envoy, with a view to achieving a definitive solution to the situation.

19. **Ms. Sweeb** (Suriname), speaking on behalf of the Union of South American Nations (UNASUR), said

that decolonization had always been a priority for the States members of UNASUR as colonialism violated the fundamental tenets of democracy, impeded development and contradicted the ideal of universal peace and of respect for human rights and fundamental freedoms. UNASUR supported the work of the Special Committee to bring an end to colonialism in all its forms and manifestations.

20. The question of the Malvinas Islands was of special importance to UNASUR and, due to historic and legal circumstances, could not be solved under the exercise of the principle of self-determination. The specific nature of the issue had been recognized by the General Assembly in its resolutions, and in resolutions of the Special Committee, all of which called on the Governments of Argentina and of the United Kingdom to resume bilateral negotiations in order to find a peaceful and lasting solution to the sovereignty dispute. The Heads of State and Government of UNASUR had expressed their support for the legitimate sovereignty rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas on many occasions, most recently at the seventh ordinary meeting held in August 2013, and had highlighted the constructive attitude of the Argentine Government and its willingness to reach, by means of negotiations, a peaceful and definitive solution to the situation, in accordance with relevant resolutions of the United Nations and of OAS.

21. The military presence of the United Kingdom in the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas was contrary to the region's policy of seeking a peaceful solution to the dispute. UNASUR rejected both that presence and unilateral British activities in the disputed area, including the exploration and exploitation of Argentina's renewable and non-renewable natural resources and the conduct of military exercises in violation of General Assembly resolutions, in particular resolution 31/49. As Chair of the UNASUR Council of Ministers for Foreign Affairs, the Minister for Foreign Affairs of Suriname had sent a letter to the Secretary-General (A/68/856) calling on him to continue efforts aimed towards resuming a dialogue and against the introduction unilateral modifications in the situation.

22. **Ms. Bolaños Pérez** (Guatemala) said that the sovereignty dispute between Argentina and the United Kingdom had been defined as a special and particular colonial situation because of its special characteristics. The territorial integrity of Argentina had been violated in 1833 through the forced occupation of part of its territory and the displacement of the population; since then, Argentine settlements in the Malvinas Islands had been prevented, and the occupying Power had transferred some of its own population to the Territory; those people could not be considered to be entitled to the right of self-determination in a dispute to which their own country was a party. The United Nations had therefore specifically discarded the possibility of applying the right to self-determination to the question of the Malvinas Islands, bearing in mind paragraph 6 of the Declaration on decolonization. Her delegation reiterated its desire for the Governments of Argentina and the United Kingdom to speedily resume negotiations to find a just, peaceful and lasting solution to the dispute, in conformity with the numerous relevant resolutions. Argentina had already indicated its willingness to resolve the situation through dialogue and negotiations, and it was to be hoped that the occupying Power would play its part.

23. Guatemala fully supported all General Assembly and Security Council resolutions on the question of Western Sahara and reiterated its support for the efforts of the Secretary-General and his Personal Envoy to help the parties find a just, lasting and mutually acceptable political solution to the conflict. It also welcomed the confidence-building measures that had been undertaken, particularly the expansion of the programmes administered by the Office of the United Nations High Commissioner for Refugees. It urged the parties to continue to show political will and establish a climate conducive to dialogue, in order to enter into a more substantive phase of negotiations. A solution to the question was necessary, not only for the people of Western Sahara, but for the stability, security and integrity of the Maghreb region.

24. **Mr. Koncke** (Uruguay)said that efforts to bring an end to colonialism should be strengthened and cooperation and dialogue between administering Powers and Territories promoted. Uruguay defended the right of the Sahrawi people to self-determination. It was crucial for talks between Morocco and the Frente Polisario to be resumed as soon as possible, in good faith and with a view to achieving a just, lasting and mutually acceptable political solution, which would provide for the right to self-determination of the people

of Western Sahara, pursuant to the Charter, General Assembly resolution 1514 (XV) and other relevant resolutions. Uruguay accorded priority to the international promotion and protection of human rights and international humanitarian law and urged both parties to cooperate with the United Nations to establish and implement measures that ensured full respect for human rights in Western Sahara and in the refugee camps.

25. Uruguay was a firm supporter of the principle of self-determination of the peoples, but that principle was not applicable to the case of the Malvinas, to which another guiding principle applied, that of the territorial integrity of States. Uruguay supported the legitimate sovereignty rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, not only as a neighbour of Argentina, but also due to the historic, legal and geographic justness of its claim. The Governments of Argentina and the United Kingdom must resume negotiations as soon as possible to find a just, peaceful and definitive solution.

26. The member States of MERCOSUR and associated States had reaffirmed their support for the just and well-founded claim of Argentina over the Territory in a joint communiqué of July 2014 and had noted that there was a clear regional interest in achieving a solution to the dispute that was in keeping with the relevant resolutions and declarations of the United Nations, OAS, MERCOSUR, UNASUR and other multilateral and regional forums. They had reiterated their opposition to the adoption of unilateral measures by the United Kingdom, including the exploitation and exploration of renewable and non-renewable natural resources in the disputed area, and recognized the right of Argentina to take legal action in that regard, in accordance with international law and relevant resolutions on unauthorized oil exploration and exploitation on its continental shelf.

27. **Mr. Alday González** (Mexico) said that the inalienable right of peoples to self-determination was a guiding principle in the foreign policy of Mexico. The United Nations should continue its involvement in the processes of decolonization, particularly within the framework of the Third International Decade for the Eradication of Colonialism. Mexico supported efforts to find a just and lasting solution to the conflict concerning Western Sahara, in accordance with the relevant Security Council and General Assembly resolutions, and associated itself with the call to the parties to make genuine progress and engage seriously on the two basic issues, namely the substance of a political solution and the means of achieving self-determination. It reiterated its support for the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO), which should include human rights monitoring, and agreed with the Secretary-General's view that MINURSO was an important guarantor of the ceasefire. It encouraged both parties to step up their cooperation with United Nations human rights bodies so that the enjoyment of human rights in the Territory and in refugee camps could be monitored in a sustained, independent and impartial manner.

28. Mexico welcomed the new focus on bilateral consultations between the parties. The work of the Personal Envoy and of MINURSO was extremely important and would remain so until the definitive status of Western Sahara had been determined. His Government was deeply committed to the right to self-determination of the Sahrawi people and reaffirmed the importance of hearing the wishes of the Sahrawi people. A lasting peace should include the exercise of that right through the conduct of a referendum that included all options for the future of the region and was accepted by all parties concerned.

29. Mexico recognized the legal and historic rights of Argentina in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and surrounding maritime areas. The resumption of negotiations by Argentina and the United Kingdom, on the basis of their shared values, was the only way to achieve a peaceful, just and lasting solution to the conflict, in accordance with the relevant resolutions of the United Nations, OAS, the Ibero-American summit and CELAC. Mexico warned the parties to refrain from unilateral actions that would breach those resolutions and called on them to make use of the good offices of the Secretary-General.

30. **Mr. de Aguiar Patriota** (Brazil) reiterated his Government's historic support of Argentina's legitimate rights to the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. It was regrettable that, nearly 50 years since the adoption of General Assembly resolution 2065 (XX), the dispute had still not been resolved. Since the Malvinas formed part of the territory of Argentina, the principle of territorial

integrity was applicable. A solution to the dispute involved dialogue between the two parties and effective use of the good offices mechanism, which so far had failed to bring about even a meeting between the parties. The United Kingdom's unwillingness to resume bilateral talks and its attempts to impose conditions on the dialogue contradicted its position on the primacy of the rule of law and of respect for General Assembly resolutions. Its failure to respond to Secretariat communications in the context of good offices constituted a violation of General Assembly resolution 37/9.

31. Brazil condemned the exploitation by the United Kingdom of fishing and hydrocarbon resources in the Islands, which caused serious damage to the Argentine economy and should be brought to an immediate halt. The continued presence of British warships in the region, and particularly the patrolling of the area surrounding the Malvinas Islands by a British warship in June 2014, conflicted with the status of the South Atlantic as a zone of peace and cooperation. In a spirit of solidarity, and in accordance with the principle set out in resolution 31/49, Brazil did not authorize the use of its ports or airports by vessels or aircraft heading to the Malvinas Islands that could bring about unilateral modifications in the situation.

32. A negotiated solution to the question of the Malvinas Islands was supported by Latin American and developing countries, and by the majority of heads of State or Government, as indicated clearly in declarations issued in 2014 by CELAC, MERCOSUR and the Group of 77 and China. A commitment from the United Kingdom to resume negotiations was the only viable way to resolve the question.

33. **Ms. Perceval** (Argentina) reaffirmed its full support for the decolonization process led by the United Nations in accordance with the provisions of the Charter and of General Assembly resolution 1514 (XV). That resolution had made it clear that there was more than one form of colonialism and had established the two principles of decolonization applicable to different situations: self-determination and territorial integrity. The remaining 17 Non-Self-Governing Territories must be decolonized, taking into account the specificity of each case. Argentina was a staunch defender of the right of peoples to self-determination in all cases in which that right was applicable; no people could be subjected to alien subjugation, domination and exploitation and foreign occupation; in that regard, her delegation called on the administering Powers to cooperate with the Special Committee.

34. The principle of self-determination could not be distorted to support the United Kingdom's continuing illegal occupation of part of the national territory of Argentina and the existence of an anachronistic colonial sovereignty dispute, dating from 1833, that violated Argentina's territorial integrity. The sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas had been recognized in successive General Assembly and Special Committee resolutions as a special and particular colonial situation that must be resolved through negotiations between the two parties, taking into account the interests of the people of the Islands. Any attempt to allow the British population living in the Islands to become the arbitrator of a dispute to which their own country was a party was a distortion of the right to self-determination because there was no people subject to the subjugation, domination or exploitation of a colonial Power.

The United Nations had expressly excluded the applicability of the principle of self-determination to the dispute, since it was the other principle of decolonization, the principle of territorial integrity, that was applicable.

35. The United Kingdom, in violation of General Assembly resolution 31/49, was illegally carried out unilateral activities of exploration and exploitation of renewable and non-renewable natural resources in the disputed area. The Group of 77 and China, in its most recent Ministerial Declaration, had referred to the illegal hydrocarbon activities carried out by the United Kingdom on the Argentine continental shelf close to the Malvinas Islands and expressed support for the legal action undertaken by the Argentine Government in defence of its natural resources.

36. The United Kingdom was also conducting military exercises, including the firing of missiles from the Malvinas Islands, that violated resolution 31/49, were incompatible with the regional policy of seeking a peaceful settlement to the dispute and had been denounced by various multilateral forums. The United Kingdom's activities in the region created unnecessary tension in the South Atlantic and were an affront not only to Argentina but also to the other countries of the region. The conflict had also given rise to concern in other regions, as demonstrated by the positions taken

by such organizations as CELAC, MERCOSUR, UNASUR, and at Ibero-American and Arab summit meetings.

37. Argentina was already at the negotiating table; it called on the United Kingdom to heed the call of the Argentine President at the current session of the General Assembly to sit down with it to discuss the question of the Malvinas Islands. The General Assembly had already requested the Secretary-General to renew his current mission of good offices between her Government and the Government of the United Kingdom. Argentina solemnly reaffirmed its commitment to resolving the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas through dialogue between two democratic Governments and with respect for the relevant resolutions of the United Nations.

38. **Mr. Zamora Rivas** (El Salvador) reaffirmed his Government's support for the legitimate rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. In accordance with Article 1 of the Charter, El Salvador called on Argentina and the United Kingdom to seek a solution to the dispute through dialogue. Recalling that General Assembly resolution 2065 (XX) had defined the conflict as a sovereignty dispute between Argentina and the United Kingdom, his delegation urged the Secretary-General to redouble his efforts to fulfil his role.

39. El Salvador attached great importance to efforts to find a peaceful, just and lasting solution that respected and guaranteed the human rights of the people of Western Sahara, and reiterated the importance of the prompt resumption of talks between Morocco and the Frente Polisario. It reaffirmed its support for General Assembly resolution 67/129 and other relevant resolutions and for the negotiating process which had been instituted by Security Council resolution 1754 (2007).

40. El Salvador had overcome armed conflict through negotiation and a peaceful solution backed by the political will of the parties and the support of the United Nations, the international community and its own people, which had established the foundations for democracy, political pluralism and a stable legal order and paved the way for a more robust participation in United Nations peacekeeping operations. Its first military mission would take place in 2015 in Mali.

41. El Salvador was concerned about recent events in South-East Asia, which were bringing instability to the area, and welcomed initiatives aimed at strengthening dialogue and regional security such as those undertaken by both parties in the Taiwan Strait. El Salvador remained committed to initiatives for the peaceful settlement of disputes around the world and the promulgation of a culture of peace and the peaceful coexistence of peoples.

42. **Mr. Suárez Moreno** (Bolivarian Republic of Venezuela) said that the Third International Decade for the Eradication of Colonialism should act as a catalyst for decolonization efforts. Venezuela supported the right to self-determination and independence of the people of Puerto Rico, a Latin American and Caribbean people that had been under the colonial domination of the United States of America for over 100 years, and called on the United States Government to adopt political measures to allow the people of Puerto Rico to exercise in full their inalienable right to self-determination, pursuant to the Charter and relevant resolutions and decisions of the General Assembly and of the Special Committee.

43. Venezuela supported the sovereignty rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which were fully in keeping with international law, including General Assembly resolution 2065 (XX). It called for the resumption of negotiations between the Governments of Argentina and the United Kingdom in order to find a peaceful and negotiated solution to the dispute, in accordance with international law.

44. Venezuela supported the negotiating process with a view to finding a just, lasting and mutually acceptable political solution to the question of Western Sahara that would lead to the self-determination of the people of Western Sahara, in accordance with the Charter, General Assembly resolution 1514 (XV) and other relevant resolutions. It urged the Secretary-General and his Personal Envoy to continue their efforts to that end.

45. Venezuela stressed the importance of General Assembly resolution 67/265 on the self-determination of French Polynesia. It urged the Special Committee to step up cooperation and dialogue with administering

Powers in order to promote decolonization through the elaboration of programmes of work, on a case-by-case basis, in consultation with the parties.

46. **Mr. Lasso Mendoza** (Ecuador) said that all possible efforts should be deployed to eradicate colonialism in all its forms and manifestations by the end of the Third International Decade for the Eradication of Colonialism. Colonialism constituted a negation of fundamental human rights and of international law, including the Charter and the Universal Declaration of Human Rights, and was an impediment to the promotion of peace and cooperation. In that regard, the administering Powers must fulfil their obligation to transmit information on the Non-Self-Governing Territories they administered and to facilitate the work of the Special Committee.

47. Ecuador fully supported reaffirmed the inalienable right to self-determination of the Sahrawi people. He stressed that it was for the Sahrawi people alone to choose among the options for self-determination. His delegation was concerned about the slow pace of negotiations and urged the parties concerned, and the States of the region, to provide all necessary support to the Special Envoy and to adhere to international human rights law in Western Sahara.

48. The question of Puerto Rico was a Latin American and Caribbean issue, as confirmed by CELAC, in the Declaration adopted at the its 2014 Summit, and by the Special Committee. Ecuador supported the inalienable right to self-determination and independence of the people of Puerto Rico, and recalled that the Puerto Rican people had overwhelmingly supported self-determination in the referendum of 2012. His delegation urged the United States Government to accelerate the process of self-determination and to free political prisoners Oscar López Rivera and Norberto González Claudio, as requested by the Special Committee.

49. Ecuador expressed firm support for the legitimate rights of Argentina in the sovereignty dispute concerning the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The principle of territorial integrity was applicable to that issue. The existence of a sovereignty dispute, recognized by the General Assembly in resolution 20/65, made the principle of self-determination inapplicable, particularly since the inhabitants of the islands were British citizens. His Government urged the United Kingdom to respond favourably to the calls of the international community to resume negotiations, in order to find, as soon as possible, a peaceful and definitive solution to the dispute.

50. He recalled that the Latin American Energy Organization, in a ministerial decision of November 2013, had reiterated the importance of General Assembly resolution 31/49 concerning the exploration and exploitation of hydrocarbons on the Argentine continental shelf and recognized the right of Argentina to take legal action, in full respect for international law, against unauthorized exploration and exploitation activities.

51. **Ms. Arce Echeverría** (Costa Rica) said that the right to self-determination should be exercised within a democratic framework, with full respect for human rights and the territorial integrity of States, in a framework of peace. and in accordance with international law. Costa Rica supported the measures set out in the report of the Special Committee (A/69/23) and welcomed the work of its regional seminars. It urged the administering Powers to transmit information for each Territory for which they were responsible, in accordance with Article 73 *e* of the Charter.

52. Costa Rica recognized Argentina's just claim of sovereignty of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which was backed by numerous General Assembly resolutions. The General Assembly and the Special Committee had recognized the sovereignty dispute as a particular and special colonial situation. Costa Rica called for respect for the essential principles of General Assembly resolution 1514 (XV), in particular in paragraph 6. Any action in the Territory that contravened General Assembly resolution 31/49 was a violation of the status quo and of international calls for the parties to refrain from actions that exacerbated the territorial dispute. Statements by Heads of State and Government of the region had indicated support for the just claims of Argentina and reaffirmed regional interest in the Governments of Argentina and the United Kingdom resuming negotiations as soon as possible to find a just, peaceful and definitive solution, in accordance with the Charter and with resolutions of the United Nations and of OAS, including the principle of territorial integrity.

53. Since there was a direct link between sovereignty and democracy, the United Nations should facilitate the settlement of international disputes through support for democracy, human rights, international humanitarian law and justice. In the context of Western Sahara, Costa Rica continued to support calls for a just, lasting and democratic political solution that was acceptable to all the parties, in accordance with the relevant resolutions, particularly those providing for the holding of a referendum, and with the principles of international law, particularly the principles governing the decolonization process. Costa Rica defended and promoted respect for human rights, with no exceptions or double standards, and, while supporting the renewal of the mandate of MINURSO, insisted on the need to include in that mandate the monitoring of human rights in Western Sahara and in the Tindouf camps.

54. **Mr. Wei Zonglei** (China) said that Member States should recognize the importance of the rights and interests of the peoples of the 17 remaining Non-Self-Governing Territories, the Special Committee should strengthen its ties with those Territories to advance the decolonization process and the administering Powers should cooperate more closely with the United Nations. China would continue to support the right to self-determination of the peoples of the Non-Self-Governing Territories and would work with Member States to fulfil the historic mission set out in the Charter and the Declaration on decolonization.

55. **Mr. Çevik** (Turkey) said that existence of the 17 remaining Non-Self-Governing Territories compromised efforts to ensure universal respect for human rights and fundamental freedoms. The eradication of colonialism was a prominent principle of Turkish foreign policy; Turkey had always supported the aspiration of the peoples living under colonial rule to exercise their right to self-determination and independence in accordance with General Assembly resolution 1514 (XV). It believed that any effort towards self-determination in the Non-Self-Governing Territories must originate from within and must reflect the will of the people living in those Territories. The administering Powers should safeguard the inalienable rights of the peoples of Non-Self-Governing Territories to economic and social development, until the acquisition of independence. Turkey had shared its development experience with the least developed countries and stood ready to contribute to the economic and social development of the Non-Self-Governing Territories through all possible means.

Statements made in exercise of the right of reply

56. **Mr. McDonald** (United Kingdom) said that the United Kingdom had no doubt about its sovereignty over the Falkland Islands. The principle and right of self-determination, as set out in Article 1, paragraph 2, of the United Nations Charter and Article 1 of the International Covenant on Civil and Political Rights, supported his delegation's position. The future of the Falkland Islands should be determined by the people of the Falkland Islands. In a referendum held in March 2013 by the Government of the Falkland Islands, 99.8 per cent of the people had voted to remain an overseas territory of the United Kingdom. That result had been presented to the Special Committee in June 2013. No indigenous peoples or civilian population had been removed from the Falkland Islands prior to the settlement of the Islands by the ancestors of the current population, who were a legitimate people.

57. It was regrettable that the Minister for Foreign Affairs of Argentina had not accepted an invitation to meet with the United Kingdom's Foreign Secretary and representatives of the Falkland Islands during his visit to London in February 2013. His Government, and the Government of the Falkland Islands, had made it clear that they were ready to cooperate with Argentina in areas of mutual interest in the South Atlantic. Argentina had, however, rejected those opportunities and had taken a number of actions harmful to the region, including restricting shipping to the Falkland Islands and penalizing companies that wished to do business with the Islands.

58. Claims that the United Kingdom was militarizing the South Atlantic were false; a military presence had been maintained since the invasion by Argentina in 1982, but had been reduced to the minimum level required to ensure the Islands' defence. His delegation's position regarding nuclear weapons had been set out in document A/67/544. The decision to explore and exploit hydrocarbons had been made in consultation with the people of the Falkland Islands and in accordance with their right to self-determination. All activities on the continental shelf of the Falkland Islands were regulated by the legislation of the Falkland Islands, in accordance with the United Nations Convention on the Law of the Sea.

59. The United Kingdom remained fully committed to the right of the people of the Falkland Islands to determine their own political, social and economic future and called on Argentina to respect their wishes. The South Georgia and South Sandwich Islands would remain an overseas territory of the United Kingdom.

60. **Mr. Laassel** (Morocco) reiterated his Government's firm commitment to the political process that was taking place against a background of the neutrality of the Secretariat, the impartiality of MINURSO, the predictability of the negotiation process and the transparency of its facilitation. Morocco was opposed to all changes to the parameters and principles of the mandate of MINURSO and of the facilitation of the political process. It rejected any attempts to extend the mandate of MINURSO, which consisted of three pillars: monitoring the ceasefire, reducing the threat of mines and unexploded ordnances and supporting the confidence-building measures, such as family visits. It remained committed to the negotiation process under the auspices of the Secretary-General and the Security Council. All possible efforts should be made to arrive at a political, consensus-based and definitive solution for the various regions of the Sahara, on the basis of the autonomy proposal formulated in 2007 that had been taken up in all the relevant Security Council resolutions.

61. Morocco was committed to promoting and respecting human rights. The national human rights institution in Morocco was a model for the region and had been recognized internationally, particularly for its decentralized structure, including by the Security Council and various parts of the United Nations human rights machinery, including the United Nations High Commissioner for Human Rights. The people living in the southern province of Morocco were citizens and, like the rest of Moroccan citizens, enjoyed all fundamental rights and freedoms. The Moroccan Sahara region was open to all interested parties, including the numerous foreign actors who had visited the area, and Morocco would continue to discuss human rights in appropriate forums, including the human rights treaty bodies.

62. International law was a living law that adapted to reality and the principle of self-determination was not static but, like other human rights principles, had evolved gradually. The Declaration on decolonization had been adopted to address the concerns of States and the independence movements of the time; the subsequent adoption of General Assembly resolution 1541 (XV) had set out three options for self-determination. Further resolutions had reaffirmed that the exercise of self-determination could take place through any of those three routes, or through the acquisition of any other political status that was freely decided upon.

63. **Mr. Díaz Bartolomé** (Argentina) said that his delegation reaffirmed the statement made by the President of Argentina at the current session of the General Assembly and by the Minister for Foreign Affairs of Argentina before the Special Committee in 2014. The Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of the national territory of Argentina. The Territory had been illegally occupied by the United Kingdom and was therefore the subject of a sovereignty dispute that was recognized by numerous international organizations. Various General Assembly resolutions, including resolutions 20/65, 31/60, 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/26, had recognized the existence of a sovereignty dispute and had called on the Governments of Argentina and the United Kingdom to resume negotiations to find a peaceful and lasting solution to the dispute. That position had also been endorsed by the Special Committee and OAS.

64. The United Kingdom Government sought to distort the historical facts, with the clear purpose of concealing the act of usurpation committed in 1833 that had given rise to continuing protests from Argentina. Both parties had clearly expressed a commitment to renew negotiations on the sovereignty of the Territory in order to find a fair and lasting solution to the dispute. If the United Kingdom were to honour that commitment, it would be acting in the manner in which it called on the rest of the international community to act.

65. The principle of self-determination, which was the only element of the case put forward by the United Kingdom, was manifestly inapplicable to the dispute in question, as affirmed by the General Assembly and in statements made by multilateral forums. The illegitimate vote in the Malvinas Islands was a unilateral action undertaken by the United Kingdom that did not resolve the dispute or affect the inalienable rights of Argentina or the work of the Special Committee. The referendum was a tautological act, undertaken by the British, for British subjects, to ask

whether they wished to remain British, and was a distortion of the right to self-determination, since no people had been subjected to the subjugation, domination or exploitation of a colonial Power.

66. Argentina rejected the United Kingdom's continuing illegal exploration and exploitation of renewable and non-renewable natural resources belonging to Argentina as well as its military activities, which were in violation of international law and resolutions of the General Assembly. The interests of the inhabitants of the Malvinas Islands were and should be addressed by resolutions of the General Assembly and by Argentina.

67. **Mr. Moktefi** (Algeria) said that he wished to correct a number of inaccurate comments and misinterpretations. Western Sahara was a Non-Self-Governing Territory and was among the 17 Non-Self-Governing Territories for which the Committee, and the Special Committee, were responsible. The principle of self-determination could not be reinterpreted; it gave colonized peoples the right to freely choose their destiny, and the Sahrawi people were entitled to that right. The Secretary-General's most recent report on the matter, contained in document S/2014/258, confirmed that the question of Western Sahara was a question of decolonization.

68. The title of MINURSO clarified its mandate, which was to organize a referendum on self-determination for the Sahrawi people that would allow them to express themselves freely, under the auspices of the United Nations, regarding the framework under which they wished to live. Unfortunately, that free choice of the Sahrawi people had been blocked for decades. The United Nations and the international community should reactivate the political process, which should involve Morocco and Frente Polisario holding direct and peaceful discussions, in order to find a just and lasting solution for the good of the Sahrawi people.

69. He had been surprised by the forceful comments made by the representative of Morocco regarding the mandate of MINURSO. There was a need to genuinely reengage in the political process of dialogue. The Personal Envoy had been unable, since March 2014, to visit the region to continue his efforts to find a mutually acceptable solution. Algeria called on Morocco to engage in direct dialogue with the Frente Polisario and find a way of organizing a referendum on self-determination.

70. **Mr. Laassel** (Morocco) said that he was puzzled that Algeria claimed it was not a party to the dispute, and yet believed that it could intervene. With regard to the interpretation of the Declaration on decolonization, the representative of Algeria had, as usual, taken part of something and ignored the rest of it, notably that the principles of territorial integrity and friendly relations were also part of the Declaration.

Regarding the mandate of MINURSO, he recalled that the United Nations had deemed that a referendum was not applicable to the situation and that a political solution needed to be found.

71. **Mr. Moktefi** (Algeria) clarified that his previous statement had been an attempt to correct misconceptions and had not been aimed at any specific country. His delegation had limited itself to recalling the relevant mandates and resolutions of the United Nations. He reminded the representative of Morocco that, in its advisory opinion of 16 October 1975, the International Court of Justice had found that there was no international recognition of legal ties of territorial sovereignty between Western Sahara and the Moroccan State. The process underway was, and would hopefully remain, peaceful until it was completed. His delegation encouraged both parties to the conflict, Morocco and Frente Polisario, to hold talks, peacefully and freely, to find an acceptable solution that was in keeping with United Nations doctrine and international law.

Requests for hearings

72. **The Chair** drew attention to 81 requests for hearings under agenda item 60, relating to French Polynesia (A/C.4/69/2), Gibraltar (A/C.4/69/3), New Caledonia (A/C.4/69/4) and Western Sahara (A/C.4/69/5). He took it that the Committee wished to grant those requests.

73. *It was so decided.*

The meeting rose at 5.50 p.m.